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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/780,025

02/17/2004

Wenbin Gu

8540G-000187

9272

27572 7590 03/25/2009  
HARNESSE, DICKEY & PIERCE, P.L.C.  
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EXAMINER

WALKER, KEITH D

ART UNIT

PAPER NUMBER

1795

MAIL DATE

DELIVERY MODE

03/25/2009

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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*Ex parte* WENBIN GU, GERALD W. FLY and MARK F. MATHIAS

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Application 10/780,025  
Technology Center 1700

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Mailed: March 25, 2009

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Before STEVEN J. BARTLETT, *Appeals Program Manager*

ORDER RETURNING UNDOCKETED APPEAL

This application was electronically received by the Board of Patent Appeals and Interferences on April 9, 2008. A review of the application revealed that it is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the Examiner to address the following matter requiring attention prior to docketing.

On December 22, 2006, Appellants filed a Notice of Appeal. On February 28, 2007, Appellants filed an Appeal Brief. On March 18, 2009, Appellants filed a Request for Continued Examination (RCE).

Accordingly, it is

ORDERED that the appeal is dismissed.

This application is returned to the Examiner for such further action as may be appropriate.

If there are any questions pertaining to this Order, please contact the Board of Patent Appeals and Interferences at 571-272-9797.

SJB

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